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September 25, 2009

BY ELECTRONIC CASE FILING

The Honorable J. Frederick Motz
United States District Judge
United States District Court
for the District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

Re: *Genzyme Corp. v. Lupin, Ltd., et al.*, Civ. No. JFM-09-563;
Genzyme Corp. v. Impax Laboratories, Inc., Civ. No. JFM-09-653;
Genzyme Corp. v. Impax Laboratories, Inc., Civ. No. JFM-09-846;
Genzyme Corp. v. Lupin, Ltd., et al., Civ. No. JFM-09-1258; and
Genzyme Corp. v. Sandoz, Inc., Civ. No. JFM-09-1750

Dear Judge Motz:

We write on behalf of Genzyme and the defendants in the above-captioned cases to request a six-week extension of the Rule 16 conference currently scheduled for Tuesday, September 29 at 4:30 P.M. The parties believe such an extension is necessary in light of recent case developments in the first four of the five above-referenced cases.

Specifically, Genzyme and Lupin yesterday filed joint stipulations of dismissals for all claims related to the Genzyme patents expiring in August 2013 (the "2013 Patents"). The only patent left at issue in the Lupin matters is the 5,667,775 Patent (the "775 Patent"), which expires in September 2014. Because Lupin is no longer challenging the validity of the 2013 Patents, it has agreed, as have the other related defendants, not to begin marketing its proposed generic product until August 2013, at the earliest. Consequently, the urgency in resolving the claims against Lupin is reduced, the discovery needs and obligations of the parties have changed, and our proposed schedule now will need to be adjusted accordingly.

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Further, Genzyme has learned that another generic manufacture has filed an abbreviated drug application challenging the '775 Patent. Genzyme anticipates suing that generic manufacture in the near future and thinks it would be efficient to include the anticipated future defendant in the Rule 16 Conference. Postponement will also allow for inclusion in the Rule 16 conference of Sandoz, the defendant in the fifth above-referenced case.

Because of the change in the required discovery in the above titled cases, and the expected addition of a related defendant, the parties respectfully request the Court reschedule the Rule 16 Conference until the week of November 9, 2009.

Although the parties sincerely regret any inconvenience to the Court, they believe that a postponement will advance the efficient resolution of the related patent cases before Your Honor.

Thank you for the Court's consideration of this request.

Respectfully,

/s/

Geoffrey H. Genth

GHG/cdw

cc: All Counsel of Record (by Electronic Case Filing)